

**NOTES TO THE READER:** This draft incorporates changes in the State Fire Marshal's fire requirements that will become effective on January 1, 2011. It does not include changes related to temporary flexibility in waste tire storage.

- **Red/strikeout** represents Title 14 language that will be deleted in order to incorporate 2010 California Fire Code requirements into Title 14. It also represents SB 63 changes that became effective on January 1, 2010.
- **Green/underlined text** is draft regulatory language proposed by CalRecycle staff.
- This draft document **does not** include proposed regulatory language regarding flexibility in temporary storage of *products derived from waste tire* (PDWT) issues raised in the 4/13/09 issue paper entitled "Consideration of Modifications of Waste Tire Storage Requirements". Those changes will be added in the next version of the proposed regulations revisions.

#### **Title 14. Natural Resources**

#### **Division 7. ~~California Integrated Waste Management Board~~ Department of Resources Recycling and Recovery**

#### **Chapter 3. Minimum Standards for Solid Waste Handling and Disposal**

#### **Article 5.5 Waste Tire Storage and Disposal Standards**

##### **§ 17350. Applicability.**

- (a) Any facility storing 500 or more waste tires outdoors must comply with the technical and operational standards in sections 17351 through 17355 of this Article.
- (b) Any facility storing waste tires indoors must comply with the technical and operational standards in section 17356 of this Article.
- (c) Waste tires that are disposed of by burying at a solid waste disposal facility are addressed in section 17355 of this Article.
- (d) For purposes of determining the applicability of this Chapter, altered waste tires shall be counted as passenger tire equivalents (PTE).

(e) Unless stated otherwise, these state minimum standards are consistent with Tire Rebuilding and Tire Storage, requirements contained in Chapter 25 of the California Fire Code that shall become effective on January 1, 2011. Whenever reference is made to these requirements, such reference shall be deemed applicable to succeeding changes in accordance with the law.

Note:

Authority cited: Sections 40502, 42820, 42830 and 43020, Public Resources Code. Reference: Sections 42820, 42821, 42830, 42832 and 43020, Public Resources Code.

**§ 17351. Fire Prevention Measures.**

(a) Communication equipment shall be maintained at all facilities, if they are staffed by an attendant, to ensure that the site operator can contact local fire protection authorities in the event of fire.

(b) Adequate equipment to aid in the control of fires must be provided and maintained at the facility at all times. At a minimum the following items shall be maintained on site and in working order at all times:

(1) One (1) dry chemical fire extinguisher;

(2) One (1) two and one-half gallon water extinguisher;

(3) One (1) pike pole or comparable pole at least 10 feet in length to separate burning from non-burning tires; ~~and~~

(4) One (1) round point and one (1) square point shovel;

(5) One (1) dry chemical fire extinguisher with a minimum rating of ~~4A:40BC~~ A:40-B:C shall be carried on each piece of fuel-powered equipment used to handle waste tires; ~~and~~

(c) An adequate water supply shall be available for use by the local fire authority. The water supply shall be capable of delivering at least 1,000 gallons per minute for a duration of at least three hours and at least 2,000 gallons per minute for a duration of at least three hours if the sum of altered plus whole waste tires exceeds 10,000.

(d) All of the requirements of subsections (b) and (c) shall apply unless the local fire authority having jurisdiction over a particular facility determines that a different requirement is necessary or adequate to meet the intent of these regulations for fire control and the protection of life and property. This may include the availability of earth moving equipment or other approved means to control the tire fire. Any change in, or any new, local fire authority requirements that affect the requirements in this Article shall be reported to the ~~Board~~ CalRecycle by the operator within 30 days after their effective date. Any requirements approved by the local fire authority shall be subject to ~~Board~~ CalRecycle concurrence at the time of issuance or renewal of the permit.

Note:

Authority cited: Sections 40502, 42820, 42830 and 43020, Public Resources Code. Reference: Sections 42820, 42821, 42830, 42832 and 43020, Public Resources Code.



### **§ 17352. Facility Access and Security.**

- (a) Signs - for facilities open to the public a sign shall be posted at the facility entrance stating the name of the operator, operating hours, and site rules.
- (b) Attendant - An attendant shall be present when the facility is open for business if the facility receives tires from persons other than the operator of the facility.
- (c) Access - An access road to the facility must be maintained passable for emergency equipment, fire apparatus, and vector control vehicles at all times. Unauthorized access must be strictly controlled.

**Note:**

Authority cited: Sections 40502, 42820, 42830 and 43020, Public Resources Code. Reference: Sections 42820, 42821, 42830, 42832 and 43020, Public Resources Code.

### **§ 17353. Vector Control Measures.**

- (a) All waste tires shall be stored in a manner which prevents the breeding and harborage of mosquitoes, rodents, and other vectors by any of the following means:
  - (1) Cover with impermeable barriers other than soil to prevent entry or accumulation of precipitation; or
  - (2) Use of treatments or methods to prevent or eliminate vector breeding as necessary, provided the control program is approved as appropriate and effective by the local vector control authority, if such authority exists. If no local vector control authority exists, the local Environmental Health Department or other local agency with authority over vector control shall approve the vector control plan. Any control program approved by the local vector control authority shall be subject to ~~Board~~ CalRecycle concurrence at the time of issuance or renewal of the waste tire facility permit.

**Note:**

Authority cited: Sections 40502, 42820, 42830 and 43020, Public Resources Code. Reference: Sections 42820, 42821, 42830, 42832 and 43020, Public Resources Code.

### **§ 17354. Storage of Waste Tires Outdoors.**

- (a) Except as provided in subsection (c) waste tires shall be restricted to individual piles, which include stacks and racks of tires that do not exceed 5,000 square feet of contiguous area. Any pile shall not exceed 50,000 cubic feet in volume nor 10 feet in height. Piles shall not exceed 6 feet in height when within 20 feet of any property line or perimeter fencing. Waste tires shall not be located ~~within 10~~ less than 50 feet of any property line or building. ~~The minimum distance between from waste tire piles and between waste tire piles and shall be no less than 40 feet structures that are located either on-site or off-site shall be as specified in Table I.~~

(b) Except as provided in subsection (c) waste tires shall be separated from vegetation and other potentially flammable materials by no less than 40 feet. ~~Accessible fire lanes with a minimum width as specified in Table I shall be provided between tire storage units.~~ Fire lanes shall be kept free of flammable or combustible material and vegetation. Access to fire lane(s) for emergency vehicles must be unobstructed at all times. Open flames, blow torches, or highly flammable materials, including but not limited to, tire inner tubes, are prohibited within 40 feet of a waste tire pile.

<p><b>Table I</b> <b>Minimum Separation Distances (Ft.)</b></p>			
Length of Exposed Face (Ft.)	Tire Storage Pile Height (Ft.)		
-	6	8	10
25	50	56	62
50	66	75	84
100	84	100	116
150	99	117	135
200	111	130	149
250	118	140	162

(c) All of the requirements in subsections (a) and (b) shall apply to the storage of waste tires unless, for any particular requirement, in accordance with Section 1.11.2.4 of the California Fire Code, the local fire authority having jurisdiction over a particular facility determines that a different requirement is necessary or adequate to meet the intent of these regulations for the prevention of fire and the protection of life and property. Any change in, or any new, local fire authority requirements that affect the requirements in this Article shall be reported to the **Board CalRecycle** by the operator within 30 days after their effective date. Any requirements approved by the local fire authority shall be subject to **Board CalRecycle** concurrence at the time of issuance or renewal of the permit.

(d) Surface water drainage shall be directed around and away from the waste tire storage area.



(e) Waste tires at existing waste tire facilities shall be stored on surfaces with grades that will not interfere with fire fighting equipment or personnel unless mitigation measures have been approved in writing by the local fire authority, or a fire safety engineer registered by the State of California. Measures established by a fire safety engineer shall be subject to approval by the local fire authority.

(f) New waste tire facilities shall not:

(1) Be sited in any area where they may be subjected to immersion in water during a 100-year storm unless the operator demonstrates to ~~the Board~~ CalRecycle that the facility will be designed and operated so as to prevent waste tires from migrating off-site; or

(2) Be located on sites with grades or other physical features that will interfere with fire fighting equipment or personnel.

(g) Tires must be removed from rims immediately upon arrival at the facility.

(h) The site shall be designed and constructed to provide protection to bodies of water from runoff of pyrolytic oil resulting from a potential tire fire.

(i) Outdoor waste tire storage shall not be located under bridges, elevated trestles, elevated roadways or elevated railroads.

(d) Set back distances from lot lines or property lines, buildings, perimeter fencing, and tire pile height for minor waste tire facilities and used tire piles greater than 500 tires shall be as follows:

(1) Exempted waste tire facilities as defined in Public Resources Code 42808(c) and 42831, and used tires as defined in Public Resources Code 42806.5, shall be located no closer than 10 feet from lot lines or from buildings. Existing minor waste tire facilities as defined in Public Resources Code 42808 permitted prior to January 1, 2011, shall be permitted to maintain waste tire storage piles located no closer than 10 feet from lot lines or 50 feet from buildings. Waste and/or used tire piles shall not exceed 6 (six) feet in height when within 20 feet of any property line or perimeter fencing. Side slopes shall not exceed 60 degrees.

(2) Waste tire storage piles at minor waste tire facilities, as defined in Public Resources Code Section 42808, shall be located no closer than 10 feet from lot lines or 50 feet from buildings. Waste tire storage piles shall not exceed six (6) feet in height when within 20 feet of any property line or perimeter fencing. Side slopes shall not exceed 60 degrees.

Note:

Authority cited: Sections 40502, 42820, 42830 and 43020, Public Resources Code. Reference: Sections 42820, 42821, 42830, 42832 and 43020, Public Resources Code.

#### **§ 17355. Disposal of Waste Tires at Solid Waste Facilities.**



(a) Waste tires may not be landfilled in a solid waste disposal facility which is permitted pursuant to Chapter 3 of Part 4 of the Public Resources Code, commencing with section 44001, unless they are permanently reduced in volume prior to disposal by shredding, or other methods subject to the EA approval and ~~Board~~ CalRecycle approval.

(b) The requirement of subsection (a) shall not apply to waste tires received which are commingled with municipal solid waste that arrive in loads, where the waste tires comprise less than one-half of one (0.5) percent by weight of the total load, or where the waste tires inadvertently arrive in homeowner delivered household loads of mixed waste and are not readily removable from the waste stream; ~~or.~~

(c) All waste tires stored at a solid waste facility shall meet the requirements of this Article.

Note:

Authority cited: Sections 40502, 42820, 42830 and 43020, Public Resources Code. Reference: Sections 42820, 42821, 42830, 42832 and 43020, Public Resources Code.

#### **§ 17356. Indoor Storage.**

(a) Indoor waste tire pile arrangement and dimensions shall be as follows:

- (1) Where tires are stored on-tread, standing side by side in rows, the horizontal dimension of the row shall not be greater than 50 feet;
  - (2) Tires stored adjacent to or along a wall shall not extend more than 25 feet from such wall; and
  - (3) Other piles shall not be greater than 50 feet in width. ~~Waste tires stored indoors must be stored under conditions that meet or exceed those in "The Standard for Storage of Rubber Tires", National Fire Protection Association, NFPA 231D-1989 edition, published by the National Fire Protection Association, which is incorporated by reference.~~
- (b) This requirement shall apply unless, in accordance with Section 1.11.2.4 of the California Fire Code, the local fire authority having jurisdiction over a particular facility determines that a different requirement is necessary or adequate to meet the intent of these regulations for fire control and the protection of life and property. Any change in, or any new, local fire authority requirements that affect the requirements in this Article shall be reported to the ~~Board~~ CalRecycle by the operator within 30 days after their effective date.

Note:

Authority cited: Sections 40502, 42820, 42830 and 43020, Public Resources Code. Reference: Sections 42820, 42821, 42830, 42832 and 43020, Public Resources Code.